

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
NW/2 Stevenson Lane, 175' E. of
the e/1 of Bellona Avenue
(52 Stevenson Lane)
9th Election District
4th Councilmanic District
William Buzby, et ux
Petitioners

* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-442-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 27 feet in lieu of the required 30 feet and to permit an existing accessory structure to occupy 50% of the rear yard in lieu of the maximum permitted 40% for a proposed addition, all as more particularly described on Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. The pictorial evidence indicated that Petitioners are desirous of enclosing the existing patio area for seasonal use. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

ORDER RECEIVED FOR FILING
Date 6/16/91
By [Signature]

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of June, 1991 that the Petition for Residential Variance to permit a rear yard setback of 27 feet in lieu of the required 30 feet and to permit an existing accessory structure to occupy 50% of the rear yard in lieu of the maximum permitted 40% for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartments. The addition shall contain no sleeping quarters, and no kitchen or bathroom facilities.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

ORDER RECEIVED FOR FILING
Date 6/16/91
By [Signature]

JRH:bjs

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PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

1802.3.61 to allow a rear yard set back of 27' in lieu of the required 30' and 400.1 to allow existing accessory structure to occupy 50% of the rear yard in lieu of the allowed 40% (currently occupy 35% of the rear yard).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.
2. Insulate and reduce heating bills.
3. Reduce outside noise.
4. A place to sit out and not be concerned with the weather, bugs; mosquitoes, flies, etc.
5. Improve appearance of house.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of being situated in a normal manner of facing the street.

The greater dimension of the house utilized a majority of the lot depth. Thereby creating an undue hardship by restricting all future additions by encroaching on the set back requirements.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

X Petitioner:

(Type or Print Name)

Signature

Address

City/State/Zip Code

X GLEN BURNIE, MD. 21061

Telephone number 760-1919

Legal Owner(s):

WILLIAM BUZBY

(Type or Print Name)

Signature

Address

City/State/Zip Code

52 STEVENSON LANE

BALTIMORE, MD. 21212

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser, or representative to be contacted.

224 8th AVE., N.W.

GLEN BURNIE, MD. 21061

Telephone number 760-1919

ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of June, 1991, that the subject matter of this petition be posted on the property on or before the 21st day of June, 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock, _____ A.M.

ORDER RECEIVED FOR FILING

Date 6/16/91

By [Signature]

ZONING COMMISSIONER OF BALTIMORE COUNTY

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-442-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 52 STEVENSON LANE

(Address)
BALTIMORE, MD. 21212

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

1. This area lends itself to the utilization of existing facilities and land without interruption or major alterations to the present floor plan patterns.
2. Insulate and reduce heating bills.
3. Reduce outside noise.
4. A place to sit out and not be concerned with the weather, bugs; mosquitoes, flies, etc.
5. Improve appearance of house.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Affiant (Handwritten Signature)

Affiant (Printed Name)

Affiant (Handwritten Signature)

Affiant (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of June, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

My Comm. Expires: 7/1/94

My Comm. Expires: 7/1/94

NOTARY PUBLIC

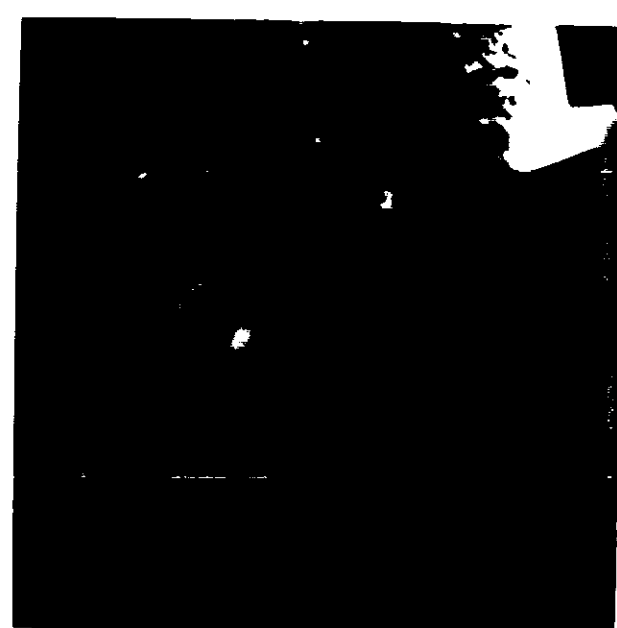
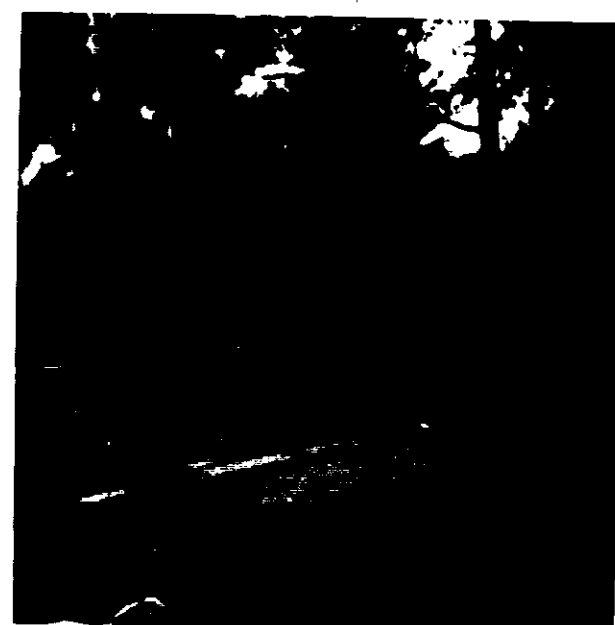
ZONING DESCRIPTION

91-442-A

Beginning on the northwest side of Stevenson Lane, 80' wide at a distance of 175' +/- east of the center line of Bellona Avenue thence leaving Stevenson Lane and running north 42 degrees 27' 10" W 141' thence south 53 degrees 17' 50" W 60' thence south 42 degrees 27' 10" east 141.31' to the north side of Stevenson Lane thence binding on Stevenson Lane north 53 degrees 02' 50" east 6'-0" to the point of beginning. Containing 8460 square feet of property also being known as 52 Stevenson Lane located in the 9th Election District and 4th Councilmanic District

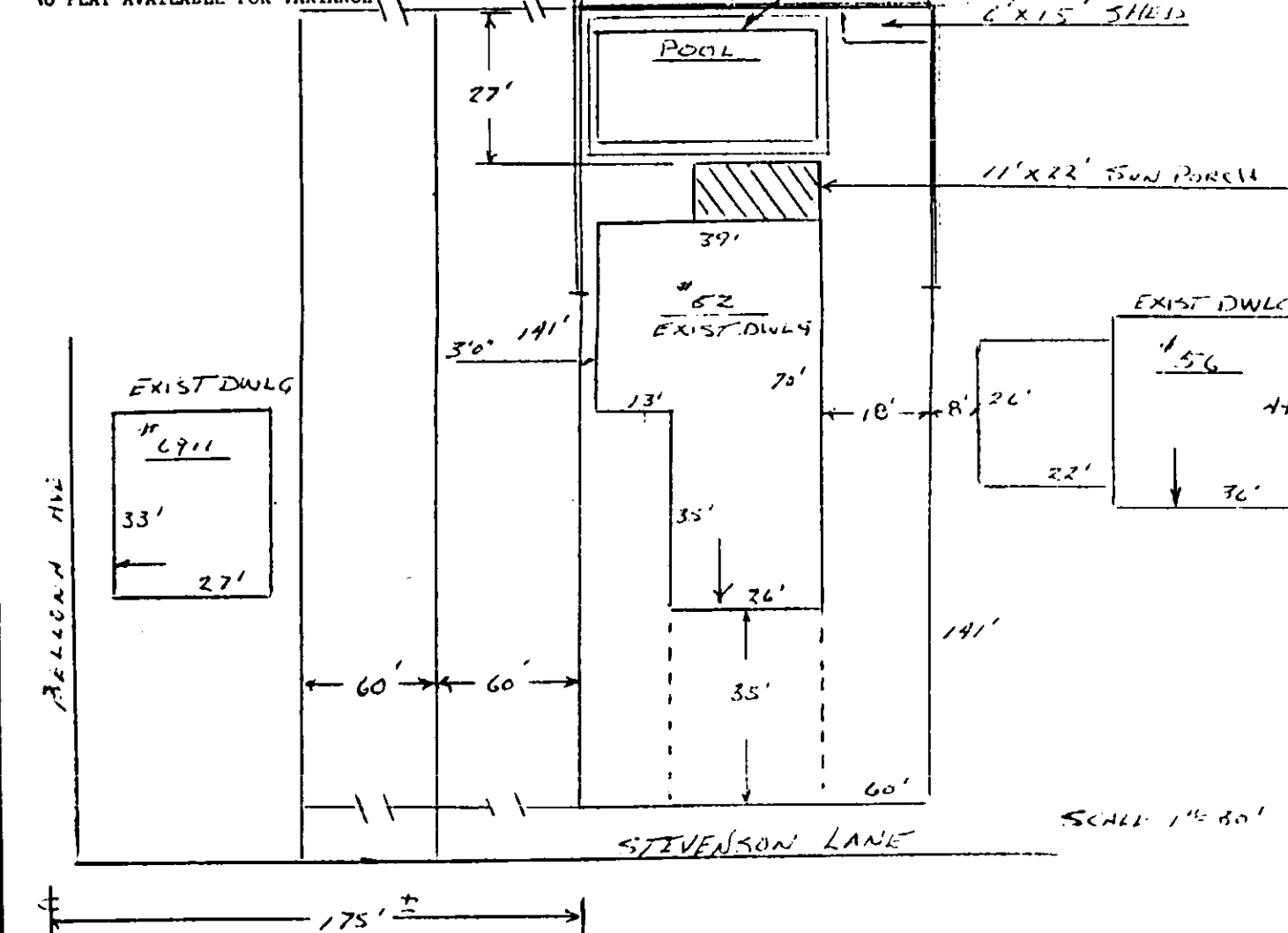
CASE NUMBER

91-442-A



PETITIONER'S EXHIBIT # 2

OWNER: WILLIAM J. BUZBY
52 STEVENSON LANE
BALTIMORE, MD. 21212
LOT NO. - NONE
SUBDIVISION - NONE
SCALE - 1" = 30'
ZONE - DR 5.5
ELECTION DISTRICT - 9
BLOCK - 2336
FOLIO - 36
PARCELS - 320
MAP - 079
BLOCK - 06
CONCURRENCE - 4
FRONT - 60.00
REAR - 60.00
4/1 - 141.00
4/2 - 141.31
SQ.FT. - 8460
PUBLIC UTILITIES IN STEVENSON LANE
PLOT ATTACHED
NO PLAT AVAILABLE FOR VARIANCE



PLAT TO ACCOMPANY
ZONING VARIANCE
PLAN PREPARED BY R. L. TICE, AGENT
DATE: MAY 16, 1991

GEORGE F. & CAROL A. COFFEL
6911 BELLONA AVENUE
BALTIMORE, MD. 21212

ROGERS FORCE UNITED METHODIST CHURCH
56 STEVENSON LANE
BALTIMORE, MD. 21212

437

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

June 17, 1991

Mr. & Mrs. William Buzby
52 Stevenson Lane
Baltimore, Maryland 21212

RE: PETITION FOR RESIDENTIAL VARIANCE
NW/S Stevenson Lane, 175' E of the c/l of Bellona Avenue
(52 Stevenson Lane)
9th Election District - 4th Councilmanic District
William Buzby, et ux - Petitioners
Case No. 91-442-A

Dear Mr. & Mrs. Buzby:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,
J. Robert Baines
Zoning Commissioner
for Baltimore County

JRH:bjs
cc: Patio Enclosures, Inc.
224 8th Avenue, N.W., Glen Burnie, Md. 21061
People's Counsel
File

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

May 23, 1991

Mr. & Mrs. William Buzby
52 Stevenson Lane
Baltimore, Maryland 21212

Re: CASE NUMBER: 91-442-A
LOCATION: NW/S Stevenson Lane, 175' E of c/l Bellona Avenue
52 Stevenson Lane

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 29, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is June 13, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,
G. G. Stephens
(301) 887-3391

OWNER: WILLIAM J. BUZBY
52 STEVENSON LANE
BALTIMORE, MD. 21212
LOT NO. - NONE
SUBDIVISION - NONE
SCALE - 1" = 30'
ZONE - DR 5.5
ELECTION DISTRICT - 9
BLOCK - 320
PARCEL - 018
BLOCK - 06
COUNCILMANIC - 4
PROFIT - 60.00
REAR - 60.00
1/2 - 141.00
1/2 - 141.31
30 P.C. - 8460
PUBLIC UTILITIES IN STEVENSON LANE
PLAT ATTACHED
ZONING HAS ATTACHED - AS NO
NO PLAT AVAILABLE FOR VARIANCE

6.5" FENCE
11' x 22' SIGN
EXIST DWLG
EXIST DWLG
EXIST DWLG
STEVENSON LANE
BELLONA AVE
175' ±

PLAT TO ACCOMPANY
ZONING VARIANCE
PLAN PREPARED BY R. L. TICE, AGENT
DATE MAY 16, 1991

GEORGE F. S. CAROLE A. COFFEL
6911 BELLONA AVENUE
BALTIMORE, MD. 21212

RODGERS FORGE UNITED METHODIST CHURCH
56 STEVENSON LANE
BALTIMORE, MD. 21212

437
91-442-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: May 24, 1991

Posted for: William Buzby

Petitioner: William Buzby

Location of property: NW/S Stevenson Lane, 175' E of c/l of Bellona Avenue

Location of Sign: Along front of property on Stevenson Lane

Remarks:

Posted by: J. Robert Baines Date of return: May 31, 1991

Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date: 5/16/91 H9100437

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (IRL)	1 X	\$35.00
080 - POSTING SIGNS / ADVERTISING	1 X	\$25.00
TOTAL:		\$60.00

LAST NAME OF OWNER: BUZBY

04A04#0077NICHRC \$60.00
Please Make Checks Payable To: Baltimore County 001134ANDS-16-91

Cashier Validation

